



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/881,785

06/14/2001

Michael Tucker

PA1932

1613

29855

7590

09/28/2006

WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI,  
L.L.P.

20333 SH 249

SUITE 600

HOUSTON, TX 77070

EXAMINER

JACOBS, LASHONDA T

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 09/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                |                               |  |
|------------------------------|--------------------------------|-------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>09/881,785  | Applicant(s)<br>TUCKER ET AL. |  |
|                              | Examiner<br>LaShonda T. Jacobs | Art Unit<br>2157              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 22-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

This is a Final Office Action in response to Applicants Amendment/request for reconsideration filed on July 11, 2006. Claims 22-32 are presented for further examination.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 22-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broussard et al. (Broussard), U.S. Patent No. 6,317,776 in view of Clapp et al. (Clapp), U.S. Patent No. 6,654,825.
3. Regarding independent claims 22, 24, 26, (e.g., exemplary independent claim 22). Broussard discloses the invention substantially as claimed. Broussard discloses a system, comprising: a videoconferencing unit that creates data in a format appropriate for real time transport protocol [see Broussard, Col. 4, lines 57-63]; a processor that receives that receives the data into a standard format appropriate for computer systems [see Broussard, Col. 4, lines 33-44], determining whether a frame of the data contains audio or video data [see Broussard, Col. 5, lines 1-8]; buffering audio data when a frame of the data contains audio data [see Broussard, Col. 6, lines 14-35]; buffering video data when a frame of the data contains video data [see Broussard, Col. 6, lines 13-25]; determining whether the converted data should include the buffered video

Art Unit: 2157

data, wherein the buffered video data are incorporated into the converted data if it is determined that the buffered video data should be included, or an empty video frame is incorporated into the converted data if it is determined that the buffered video data should not be included [see Broussard, Col. 6, lines 35-45]. However, Broussard does not explicitly disclose converting the data.

4. In the same field of endeavor, Clapp discloses (e.g., peripheral video conferencing over a network). Clapp discloses converting data by a processor (Clapp discloses a data file processor that comprises a data compression means to convert a standard data file to a compressed data file to a compressed data file of a predetermined compressed format), [see Clapp, Col. 10, lines 11-19].

5. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Clapp's teachings of a peripheral video conferencing over a network with the teachings of Broussard, for the purpose of enhancing the portability of a video teleconferencing system to facilitate easy transport of the system to a plurality of conferencing sites[see Clapp, Col. 3, lines 1-13].

6. Regarding dependent claims 23, 25, 27-32, the Examiner takes Official Notice (see MPEP 2144.03).

### ***Response to Arguments***

7. Applicant's arguments filed July 11, 2006 have been fully considered but they are not persuasive.

**The Office Notes the following Arguments:**

Art Unit: 2157

- a. Clapp does not teach or suggest converting data into a standard media format for computer systems.
- b. Clapp does not create or receive the data in a real time transport format nor does it convert it into a standard media format.

**In response to:**

(a)-(b). Applicant argues that Clapp does not create or receive the data in a real time transport format nor does it convert it into a standard media format. However, the Applicant contradicts this argument. Applicant stated on page 2 of the remarks that Clapp teaches media is transmitted using the ITU H.320 standard, H.261 video compression and G.711, G.722 and/or G.728 audio compression that are suitable for real time transport. Also, Clapp discloses (e.g., peripheral video conferencing over a network). Clapp discloses converting data by a processor (Clapp discloses a data file processor that comprises a data compression means to convert a standard data file to a compressed data file to a compressed data file of a predetermined compressed format), [see Clapp, Col. 10, lines 11-19]. Therefore, Clapp does teach creating or receiving the data in a real time transport format and converting it into a standard media format.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 2157

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

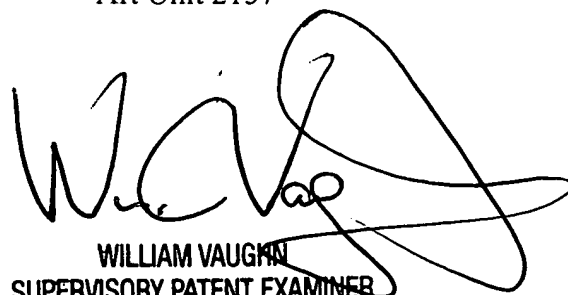
Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs  
Examiner  
Art Unit 2157

ltj  
September 23, 2006



WILLIAM VAUGHN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100